

### **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed April 3, 2007. Through this response, claims 2, 3, 7, 8, 15, 16, 22, and 23 have been amended to correct for various antecedent informalities. Reconsideration and allowance of the application and pending claims 1-24 are respectfully requested.

#### **I. Specification Amendments**

An amendment has been made to the specification through this Response to correct for a typographical error (i.e., missing period at the end of a sentence), as set forth above. Although this amendment effects a change to the specification, no new matter has been added.

#### **II. Claim Rejections - 35 U.S.C. § 102(e)**

##### **A. Statement of the Rejection**

Claims 11, 13, 15-18, 20, and 22-24 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by *Reddy et al.* ("Reddy," U.S. Pat. Pub. No. 20060148516). Applicants respectfully traverse this rejection.

##### **B. Discussion of the Rejection**

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

In the present case, not every feature of the claimed subject matter is represented in the *Reddy* reference. Applicants discuss the *Reddy* reference and Applicants' claims in the following.

#### **Independent Claim 11**

Claim 11 recites (with emphasis added):

11. A method comprising:  
receiving a first frame from a shared-communications channel wherein said first frame comprises:  
(i) a first basic service set identifier; and  
(ii) a first internet protocol address;  
passing said first frame based on said first basic service set identifier;  
***translating said first internet protocol address to a second internet protocol address***; and  
transmitting a second frame into said shared-communications channel wherein said second frame comprises:  
(i) a second basic service set identifier; and  
(ii) said second internet protocol address.

Applicants respectfully submit that the *Reddy* reference is an improper anticipatory reference. Applicants application has an effective filing date of March 11, 2003, which pre-dates the actual filing date of the parent application (serial number 10/657,893, herein "*Reddy* parent") from which *Reddy* relies in terms of priority by over 6 months. Although the *Reddy* parent claims priority to a provisional application (serial number 60/415,281, herein "*Reddy* provisional") that has an effective filing date of October 1, 2002, the disclosure of *Reddy* clearly surpasses what was disclosed in the *Reddy* provisional. In other words, unless there is a showing that any anticipatory features allegedly found in *Reddy* can be supported in the provisional, a showing which has not been made in the Office Action, *Reddy* fails as an anticipatory reference and hence the rejection should be withdrawn.

Further, the *Reddy* provisional fails to disclose, teach or suggest at least the above-emphasized claim features. Accordingly, Applicants respectfully submit that claim 11 is

patentable over *Reddy* (and the *Reddy* provisional), and request that the rejection to claim 11 be withdrawn.

Because independent claim 11 is patentable over *Reddy* (and the *Reddy* provisional), dependent claims 13 and 15-17 are allowable as a matter of law for at least the reason that the dependent claims 13 and 15-17 contain all elements of their respective base claim. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

### **Independent Claim 18**

Claim 18 recites (with emphasis added):

18. An apparatus comprising:  
a receiver for receiving a first frame from a shared-communications channel wherein said first frame comprises:  
(i) a first basic service set identifier; and  
(ii) a first internet protocol address;  
a first processor for passing said first frame through a basic service set identifier filter;  
**a second processor for translating said first internet protocol address to a second internet protocol address;** and  
a transmitter for transmitting a second frame into said shared-communications channel wherein said second frame comprises:  
(i) a second basic service set identifier; and  
(ii) said second internet protocol address.

For similar reasons presented above for claim 11, Applicants respectfully submit that *Reddy* is an improper anticipatory reference, and further that the *Reddy* provisional fails to disclose, teach, or suggest at least the above emphasized claim features. Accordingly, Applicants respectfully submit that claim 18 is patentable over *Reddy* (and the *Reddy* provisional), and request that the rejection to claim 18 be withdrawn.

Because independent claim 18 is patentable over *Reddy* (and the *Reddy* provisional), dependent claims 20 and 22-24 are allowable as a matter of law.

Due to the shortcomings of the *Reddy* reference described in the foregoing, Applicants respectfully assert that *Reddy* does not anticipate Applicants' claims. Therefore, Applicants respectfully request that the rejection of these claims be withdrawn.

### III. Claim Rejections - 35 U.S.C. § 103(a)

#### A. Statement of the Rejection

Claims 1-10, 12, and 19 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Reddy* in view of *Rune* ("*Rune*," U.S. Pat. Pub. No. 20060062187). Claims 14 and 21 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Reddy* in view of ANSI/IEEE Standard 802.11, 1999 edition ("*ANSI*"). Applicants respectfully traverse these rejections.

#### B. Discussion of the Rejection

The U.S. Patent and Trademark Office ("USPTO") has the burden under section 103 to establish a *prima facie* case of obviousness according to the factual inquiries expressed in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). The four factual inquiries, also expressed in MPEP 2100-116, are as follows:

- (A) Determining the scope and contents of the prior art;
- (B) Ascertaining the differences between the prior art and the claims in issue;
- (C) Resolving the level of ordinary skill in the pertinent art; and
- (D) Evaluating evidence of secondary considerations.

Applicants respectfully submit that a *prima facie* case of obviousness is not established using the art of record, and hence respectfully request that the rejections be withdrawn for at least the following reasons.

#### Claims 1-5

Independent Claim 1 recites (with emphasis added):

1. A method comprising:  
receiving a first frame from a shared-communications channel  
wherein said first frame comprises:
  - (i) a first basic service set identifier;
  - (ii) a first internet protocol address; and
  - (iii) a second internet protocol address;

passing said first frame based on said first basic service set identifier;  
tagging said first frame with a tag that represents said first basic service set identifier; and  
***transmitting a second frame into said shared-communications channel wherein said second frame comprises:***  
***(i) a second basic service set identifier that is different from said first basic service set identifier;***  
***(ii) a third internet protocol address that is different from said first internet protocol address; and***  
***(iii) said second internet protocol address.***

As explained above, Applicants respectfully submit that *Reddy* is an improper anticipatory reference, and hence for at least this reason, the rejection of claim 1 (and dependent claims 2-5) using the combination of *Reddy* and *Rune* should be withdrawn.

Further, the *Reddy* provisional does not disclose, teach, or suggest at least the above-emphasized features. Applicants respectfully submit that *Rune* fails to remedy this deficiency. Accordingly, Applicants respectfully submit that claim 1 is patentable over the combination of *Reddy* (or the *Reddy* provisional) and *Rune*. Additionally, because dependent claims 2-5 incorporate the allowable claim features of claim 1, dependent claims 2-5 are patentable as a matter of law. Hence, Applicants respectfully request that the rejection to claims 1-5 be withdrawn.

#### **Claims 6-10**

Independent Claim 6 recites (with emphasis added):

6. An apparatus comprising:  
a receiver for receiving a first frame from a shared-communications channel wherein said first frame comprises:  
(i) a first basic service set identifier;  
(ii) a first internet protocol address; and  
(iii) a second internet protocol address;  
a processor for:  
(i) passing said first frame based on said first basic service set identifier; and  
(ii) tagging said first frame with a tag that is representative of said first basic service set identifier;  
***a transmitter for transmitting a second frame into said shared-communications channel wherein said second frame comprises:***

- (i) a second basic service set identifier that is different from said first basic service set identifier;**
- (ii) a third internet protocol address that is different from said first internet protocol address; and**
- (iii) said second internet protocol address.**

As explained above, Applicants respectfully submit that *Reddy* is an improper anticipatory reference, and hence for at least this reason, the rejection of claim 6 (and dependent claims 7-10) using the combination of *Reddy* and *Rune* should be withdrawn.

Further, the *Reddy* provisional does not disclose, teach, or suggest at least the above-emphasized features. Applicants respectfully submit that *Rune* fails to remedy this deficiency. Accordingly, Applicants respectfully submit that claim 6 is patentable over the combination of *Reddy* (or the *Reddy* provisional) and *Rune*. Additionally, because dependent claims 7-10 incorporate the allowable claim features of claim 6, dependent claims 7-10 are patentable as a matter of law. Hence, Applicants respectfully request that the rejection to claims 6-10 be withdrawn.

#### **Claims 12 and 19**

As explained above, Applicants respectfully submit that *Reddy* is an improper anticipatory reference, and hence for at least this reason, the rejection of claims 12 and 19 using the combination of *Reddy* and *Rune* should be withdrawn.

Further, the *Reddy* provisional and *Rune* do not disclose, teach, or suggest at least the above-emphasized features of independent claims 11 and 18, as set forth above. Accordingly, Applicants respectfully submit that at least for the reason that claims 12 and 19 incorporate the patentable claim features of claims 11 and 18, claims 12 and 19 are patentable over *Reddy* (and the *Reddy* provisional) and *Rune*, and hence respectfully request that the rejection to claims 12 and 19 be withdrawn.

#### **Claims 14 and 21**

As explained above, Applicants respectfully submit that *Reddy* is an improper

anticipatory reference, and hence for at least this reason, the rejection of claims 14 and 21 using the combination of *Reddy* and *ANSI* should be withdrawn.

Further, as set forth above, Applicants respectfully submit that the *Reddy* provisional fails to disclose, teach, or suggest at least the above-emphasized features of independent claims 11 and 18, as set forth above. The *ANSI* reference fails to remedy this deficiency. Accordingly, Applicants respectfully submit that at least for the reason that claims 14 and 21 incorporate the patentable claim features of claims 11 and 18, claims 14 and 21 are patentable over *Reddy* (and the *Reddy* provisional) and *ANSI*, and hence respectfully request that the rejection to claims 14 and 21 be withdrawn.

In summary, it is Applicants' position that a *prima facie* for obviousness has not been made against Applicants' claims. Therefore, it is respectfully submitted that each of these claims is patentable over the art of record and that the rejection of these claims should be withdrawn.

**CONCLUSION**

Applicants respectfully submit that Applicants' pending claims are in condition for allowance. Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, and similarly interpreted statements, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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